

## **REMARKS**

**[0003]** Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-74 are presently pending. Of these, claims 71-74 were previously withdrawn. Claims amended herein are 1, 38, and 46. No other claims are withdrawn or cancelled herein. No new claims are added herein.

### **Statement of Substance of Interview**

**[0004]** The Examiner graciously talked with me—the undersigned representative for the Applicant—on September 3, 2008. Applicant greatly appreciates the Examiner’s willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

**[0005]** During the interview, I discussed how the claims differed from the cited references, namely Lipinski and Li2. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

**[0006]** Despite a good discussion, the Examiner and Applicant were unable to reach an agreement. The Examiner requested that the Applicant repeat the substance of Applicant’s comments in this Response.

**[0007]** Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are

allowable over the cited art of record for at least the reasons discussed during the interview.

### **Formal Request for an Interview**

[0008] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009] Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

### **Claim Amendments**

[0010] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 38, and 46 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and more quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to the cited references.

## **Formal Matters**

**[0011]** This section addresses any formal matters (e.g., objections) raised by the Examiner.

### **Drawings**

**[0012]** The Examiner objects to the Drawings generally for failing to show each and every feature of claim 1. In response, Applicant has amended claim 1, deleting features not shown in the Drawings. Accordingly, Applicant respectfully submits that the Examiner's objections to the Drawings are obviated.

## **Substantive Matters**

### **Claim Rejections under § 103**

**[0013]** The Examiner rejects claims 1-70 under § 103. For the reasons set forth below, the Examiner has not made a prima facie case showing that the rejected claims are obvious.

**[0014]** Accordingly, Applicant respectfully requests that the § 103 rejections be withdrawn and the case be passed along to issuance.

**[0015]** The Examiner's rejections are based upon the following references in combination or subcombination:

- **Lipinski:** *Lipinski*, US Patent Publication No. 2003/0069947 (published April 10, 2003);
- **Li:** *Li, et al.*, US Patent Publication No. 2004/0078708 (published April 22, 2004);
- **Ramig:** *Ramig*, US Patent Publication No. 2003/0069992 (published April 10, 2003);
- **Dunn:** *Dunn, et al.*, US Patent No. 6,560,648 (issued May 6, 2003);
- **Li2:** *Li, et al.*, US Patent No. 6,012,088 (published January 4, 2000);
- **Kaan:** *Kaan, et al.*, US Patent Publication No. 2002/0065941 (published May 30, 2002);
- **Matsubara:** *Matsubara, et al.*, US Patent No. 6,442,444 (issued August 27, 2002);
- **Yildiz:** *Yildiz, et al.*, US Patent No. 7,016,948 (issued March 21, 2006);

- **Skaaning:** *Skanning, et al.*, US Patent No. 6,535,865 (issued March 18, 2003);
- **Xiong:** *Xiong*, US Patent No. 6,958,996 (issued October 25, 2005); and
- **Ben:** *Ben-Natan, et al.*, US Patent No. 5,790,779 (issued August 4, 1998).

### **Overview of the Application**

[0016] The Application describes a technology for a network connection agent and troubleshooter that automatically connects a device to a network service in multiple stages, displays real-time status reports of connection progress with respect to each stage, and displays troubleshooting help and instructions with respect to a stage if the stage is not successful.

### **Cited References**

[0017] The Examiner cites Lipinski as the primary reference in the obviousness-based rejections. The Examiner cites Li, Ramig, Dunn, Li2, Kaan, Matsubara, Yildiz, Skaaning, Xiong, and Ben as secondary references in the obviousness-based rejections.

#### **Lipinski**

[0018] Lipinski describes a technology for a system and methods for configuration of a network-capable device, wherein the methods are implemented

in programmable logic on the network-capable device. One method may comprise the steps of: saving existing network configuration settings for at least one network interface of the network-capable device; receiving network configuration parameters from at least one configuration server; testing the at least one network interface utilizing received network configuration parameters; and restoring the existing saved network configuration settings, if the step of testing determines that the received network configuration parameters are incorrect.

Li

**[0019]** Li describes a technology for facilitating the installation of computer devices are provided. An installation application that runs on a user's personal computer may be used to facilitate the installation of a device that is connected to the personal computer with a cable or a wireless connection. At the beginning of the installation process, the installation application may check to determine whether the user has properly formed the connection between the device and the personal computer. If the connection has not been formed properly, the user may be informed and appropriate remedial actions may be taken before the installation process is complete.

Ramig

**[0020]** Ramig is a book on the topic of looping back host name data from a native host name resolver included in a requesting computer system to a name resolution port that is also included in the requesting computer system. A

replacement host name resolver monitors the name resolution port for host name data that is incompatible with name resolution techniques utilized by a network. The replacement host name resolver modifies the otherwise incompatible host name data for compatibility with name resolution techniques utilized by the network. Modifying host name data may include changing a transmission protocol associated with the host name data or formatting non-secure host name data for resolution with secure host name resolution techniques. The replacement host name resolver redirects compatible host name data to a module that may cause the host name data to be resolved into a network address. The network address may be provided to the native host name resolver.

Dunn

**[0021]** Dunn describes a technology for communication system (100) that includes a network, a first application running on a first Host computer system (First Host) (102) coupled to the network, and a second application running on a second Host computer system (Second Host) (122) coupled to the network. The first application issues an Extended PING command (300) for sending an Extended ECHO message (380) from the First Host (102) into the network and directed to the second application in the Second Host (122). The second application in the Second Host (122), in response to receiving the Extended ECHO message (380), issues an Extended PING command (300) for sending an Extended ECHO reply message (380) into the network and directed to the first

application to measure the full loop-back network latency of communicating a message application-to-application across the network.

## Li2

**[0022]** Li2 describes a technology for an Internet access device that uses an automatic configuration process to handle the task of configuring the Internet access device at a customer site for communication with the Internet. Once configured, the customer has electronic mail and other access to the Internet from his local area network. A not yet configured Internet access device is shipped directly to a customer without having to be manually configured first. The customer enters a registration identification number and a telephone number onto the Internet access device. The Internet access device then automatically connects to the Internet, downloads configuration data from a configuration server containing customer site specific configuration data, and then automatically configures itself for communication with the Internet. The Internet access device is simple to install for a customer and provides valuable features such as a router, firewall, e-mail gateway, web server, and other servers. The Internet access device initially connects to the Internet through an Internet service provider over a standard analog telephone line using a standard modem and using a dynamic IP address. Once automatically configured, the Internet access device may then communicate with the Internet using any suitable connection including an analog telephone line, or a higher-speed line such as an

ISDN line or a frame relay circuit and is assigned a static IP address and a range of IP addresses for other devices on its local area network.

Kaan

**[0023]** Kaan describes a technology for managing communication on a network includes a host connected to a LAN. In a particular embodiment, the host is in a mobile data acquisition unit for a well-logging operation. The host acquires data from a data acquisition device such as a down-hole transmitter, that is also connected to the LAN. There is also a router connected to the LAN for connecting to the WAN. The system, provides for easily configuring and re-configuring the router, even by a non-expert, to accommodate the variations in parameters for changing from one network interface device to another. In one aspect the router has a configuration file for performing an initial, automatic configuration when the router is booted. The host has a processor and a storage unit with a software program stored thereon. The configuring of the router by the bootable configuration file enables the router to communicate with the host program so that a user can select a network connection type using an interface of the program on the host, and the program can then further automatically configure the router with parameters for the selected connection type. Despite changes in network connections, the hosts on the LAN do not have to change configuration to communicate on the WAN.

Matsubara

**[0024]** Matsubara describes a technology for Amplifiers connected to a CNC that are provided individually with memories that are stored with ID data for discriminating the kinds and properties thereof and ID data as maintenance management data. Likewise, motors are provided with memories stored with ID data. The management of the amplifiers and the motors is facilitated by reading these ID data from the CNC and displaying them on a display unit. Based on the ID data, moreover, adaptation or nonadaptation between the motors and the amplifiers is automatically determined by means of the CNC.

Yildiz

**[0025]** Yildiz describes a technology for a wireless network troubleshooting tool for monitoring an IEEE 802.11 wireless LAN that is connected via an access point to the latter, and programmed for capturing a plurality of frames data packets traveling to and from the LAN, for performing a detailed protocol analysis on the contents of the headers associated with the captured frames, to detect and diagnose failures or defects in the monitored wireless networks, to permit repair.

Skaaning

**[0026]** Skaaning describes a technology for an automated troubleshooter that uses Bayesian networks to troubleshoot a system. Knowledge acquisition is

performed in preparation to troubleshoot the system. An issue to troubleshoot is identified. Causes of the issue are identified. Subcauses of the causes are identified. Troubleshooting steps are identified. Troubleshooting steps are matched to causes and subcauses. Probabilities for the causes and the subcauses identified are estimated. Probabilities for actions and questions set are estimated. Costs for actions and questions are estimated.

Xiong

**[0027]** Xiong describes a technology for a router that is provided that automatically configures itself to support Dynamic Host Configuration Protocol (DHCP) or Point-to-Point Protocol over Ethernet (PPPoE) communication protocols or other suitable communication protocols such as static IP, as required by an internet service provider. A user at a personal computer that is connected to the router via a local area network need not manually supply configuration information to the router for this purpose. The router may detect which communication protocol is to be used by monitoring which client set-up processes are initiated by the personal computer and by attempting to use those processes to communicate with the internet service provider. Successful responses from the internet service provider are used to confirm which protocol the router is to use for supporting subsequent communications between the personal computer and the internet service provider.

Ben

**[0028]** Ben describes a technology for consolidating related error reports. In a preferred embodiment, an facility preferably implemented in software ("the facility") receives error reports and success reports generated by programs. When the facility receives a novel error report specifying an error source for which no error state is set, it sets an error state corresponding to the error report. The facility also preferably generates a consolidated error report at this point, which is delivered to a error state reporting subsystem. The error state reporting subsystem may add the consolidated error report to an error log and/or display it to a user. When the facility receives a redundant error report specifying an error source for which an error state is already set, the facility preferably does not set a new error state, nor does it generate a consolidated error report. When the facility receives a success report specifying an error source, it clears any error states that are set for the specified error source, and preferably generates a consolidated success report. The performance of the facility is preferably optimized by processing success reports asynchronously.

## **Obviousness Rejections**

### **Lack of *Prima Facie* Case of Obviousness (MPEP § 2142)**

[0029] Applicant disagrees with the Examiner's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that all of the criteria set forth for making a prima facie case have not been met.

### **Based upon Lipinski, Li, Ramig, Dunn, and Li2**

[0030] The Examiner rejects claims 1-11, 15, 16, 18, 19 and 23-25 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Li, Ramig, Dunn, and Li2. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

### **Independent Claim 1**

[0031] Applicant submits that the combination of Lipinski, Li, Ramig, Dunn, and Li2 does not teach or suggest at least the following features as recited in this claim (with emphasis added):

- "wherein ***at each stage the device attempts different connection techniques until the stage is successful,***"
- "wherein the connecting in a plurality of stages includes: ***attempting to obtain Internet Protocol (IP) settings via a Dynamic Host Configuration Protocol (DHCP) networking protocol; if obtaining***

***the IP settings via the DHCP protocol is not successful, then attempting to establish a data link over the network via a Point-to-Point Protocol over Ethernet (PPPOE)"***

**[0032]** The Examiner indicates (Action, pgs. 4 and 5) the following with regard to this claim:

Lipinski fails to teach attempting different connection techniques until a stage is successful, and fails to teach attempting to connect using PPPoE if DHCP is not successful. Connecting to a network using DHCP and PPPoE were both very well known at the time of applicant's invention. In U.S. Pat. No. 6,012,088, Li, et al teaches a system for automatically configuring an Internet access device, including settings for DHCP and PPP. Applicant has simply disclosed a system for applying a brute force trial-and-error approach to connecting to a network. The Court has stated in a recent decision that the combination of prior art elements according to known methods to yield predictable results would have been obvious. MPEP 2143. Prior to applicant's invention a user that fails to connect to a network via DHCP may well have tried to connect via other known methods, including PPPoE. Applicant's invention has simply automated this process, and cannot be considered novel. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to attempt a different technique after one fails in order to automate the process of connecting to a network.

**[0033]** In summary, the Examiner concludes that Li2 teaches DHCP and PPPoE. Then, concluding that Applicant claims nothing more than the combination of DHCP and PPPoE, the Examiner references KSR v. Teleflex ("The Court has stated in a recent decision") for the proposition that "the combination of prior art elements according to known methods to yield predictable results would have been obvious."

**[0034]** Applicant respectfully disagrees with the Examiner. First, Applicant recites *more* than the basic combination of DHCP and PPPoE. In fact, claim 1 recites that “at each stage the device attempts different connection techniques until the stage is successful.” This attempting of different techniques until success is achieved is not inherent in either DHCP or PPPoE. Thus, merely citing a reference that discloses both is insufficient to establish a teaching or suggestion of that “at each stage the device attempts different connection techniques until the stage is successful.”

**[0035]** The Examiner seems to recognize this, and therefore included the following above-quoted commentary: “Applicant has simply disclosed a system for applying a brute force trial-and-error approach to connecting to a network.” Applicant respectfully submits that the recitation by claim 1 of repetition using different techniques *at each stage* is more than this. But even assuming for the sake of argument that a “brute force trial-and-error approach” is what Applicant claims, the Examiner must still show that at least one of the cited references teaches or suggests such an approach to establish prima facie obviousness. And the Examiner has not pointed out any portion of any reference with discloses “at each stage the device attempts different connection techniques until the stage is successful.”

**[0036]** Also, in the above quoted passage from the Office Action, the Examiner states that “Prior to applicant’s invention a user that fails to connect to a network via DHCP may well have tried to connect via other known methods, including PPPoE.” In response, Applicant respectfully submits that the Examiner is engaging in impermissible hindsight speculation. The reference cited by the

Examiner as disclosing DHCP and PPPoE, Li2, does not teach or suggest trying PPPoE if DHCP fails. Rather, Li2 teaches the use of PPP by an Internet access device of a LAN to connect to an ISP. If successful, the ISP provides the access device with a configuration file which includes DHCP parameters to enable dynamic assignment of IP addresses to computers of the LAN. Thus, PPP and DHCP are used for entirely different purposes in Li2, and not as alternatives to each other. In fact, in col. 12, line 66 through col. 13, line 10, Li2 describes using PPP to establish a connection to the ISP and generating an error message if the attempt to establish a connection fails. No mention is made of trying any different connection technique. Thus, Li2 simply does not teach or suggest "at each stage the device attempts different connection techniques until the stage is successful."

**[0037]** Further, the combined references simply do not disclose, suggest, or teach: "attempting to obtain Internet Protocol (IP) settings via a Dynamic Host Configuration Protocol (DHCP) networking protocol; if obtaining the IP settings via the DHCP protocol is not successful, then attempting to establish a data link over the network via a Point-to-Point Protocol over Ethernet (PPPOE)", as is recited by claim 1. The Examiner also apparently cited Li2 as teaching or suggesting this feature. But as remarked above, Li2 teaches trying to connect using PPP and, if not successful, generating an error message. No disclosure is made of trying DHCP first and then trying PPPoE, or even the reverse (PPPoE followed by DHCP).

**[0038]** As shown above, the combination of Lipinski, Li, Ramig, Dunn, and Li2 does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

**Dependent Claims 2-11, 15, 16, 18, 19, and 23-25**

**[0039]** These claims ultimately depend upon independent claim 1. As discussed above, claim 1 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

**Based upon Lipinski, Li, Ramig, Dunn, Li2, and Kaan**

**[0040]** The Examiner rejects claims 12-14 and 26 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Li, Ramig, Dunn, Li2, and Kaan. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

**[0041]** Kaan is not cited as disclosing the above-discussed features of claim 1. Thus, claim 1 remains patentable even when Kaan is combined with Lipinski, Li, Ramig, Dunn, and Li2. Claims 12-14 and 26 ultimately depend upon independent claim 1. As discussed, claim 1 is allowable over Lipinski, Li, Ramig, Dunn, Li2, and Kaan. It is axiomatic that any dependent claim which depends

from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

**Based upon Lipinski, Li, Ramig, Dunn, Li2, and Matsubara**

[0042] The Examiner rejects claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Li, Ramig, Dunn, Li2, and Matsubara. Applicant respectfully traverses the rejection of this claim and asks the Examiner to withdraw the rejection of this claim.

[0043] Matsubara is not cited as disclosing the above-discussed features of claim 1. Thus, claim 1 remains patentable even when Matsubara is combined with Lipinski, Li, Ramig, Dunn, and Li2. Claim 17 ultimately depends upon independent claim 1. As discussed, claim 1 is allowable over Lipinski, Li, Ramig, Dunn, Li2, and Matsubara. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, this claim may also be allowable for additional independent reasons.

**Based upon Lipinski, Li, Ramig, Dunn, Li2, and Yildiz**

[0044] The Examiner rejects claims 20-22 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Li, Ramig, Dunn, Li2, and Yildiz. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

**[0045]** Yildiz is not cited as disclosing the above-discussed features of claim 1. Thus, claim 1 remains patentable even when Yildiz is combined with Lipinski, Li, Ramig, Dunn, and Li2. Claims 20-22 ultimately depend upon independent claim 1. As discussed, claim 1 is allowable over Lipinski, Li, Ramig, Dunn, Li2, and Yildiz. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

#### **Based upon Lipinski, Li, and Li2**

**[0046]** The Examiner rejects claims 27 and 29 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Li, and Li2. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

#### **Independent Claim 27**

**[0047]** Claim 27 includes recitations similar to those discussed above with regard to claim 1. Accordingly, claim 27 is patentable over Lipinski, Li, and Li2 (all cited in rejecting claim 1) for at least the same reasons.

#### **Dependent Claim 29**

**[0048]** This claims ultimately depends upon independent claim 27. As discussed above, claim 27 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, this claim may also be allowable for additional independent reasons.

**Based upon Lipinski, Li, Li2, and Yildiz**

**[0049]** The Examiner rejects claims 28 and 36 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Li, Li2, and Yildiz. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

**[0050]** Yildiz is not cited as disclosing the above-discussed features of claim 27. Thus, claim 27 remains patentable even when Yildiz is combined with Lipinski, Li, and Li2. Claims 28 and 36 ultimately depend upon independent claim 27. As discussed, claim 27 is allowable over Lipinski, Li, Li2, and Yildiz. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

**Based upon Lipinski, Li, Li2, and Kaan**

**[0051]** The Examiner rejects claims 34, 35, and 37 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Li, Li2, and Kaan. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

**[0052]** Kaan is not cited as disclosing the above-discussed features of claim 27. Thus, claim 27 remains patentable even when Kaan is combined with Lipinski, Li, and Li2. Claims 34, 35, and 37 ultimately depend upon independent claim 27. As discussed, claim 27 is allowable over Lipinski, Li, Li2, and Kaan. It

is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

**Based upon Lipinski, Li, Li2, and Ben**

[0053] The Examiner rejects claims 30 and 31 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Li, Li2, and Ben. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

[0054] Ben is not cited as disclosing the above-discussed features of claim 27. Thus, claim 27 remains patentable even when Ben is combined with Lipinski, Li, and Li2. Claims 30 and 31 ultimately depend upon independent claim 27. As discussed, claim 27 is allowable over Lipinski, Li, Li2, and Ben. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

**Based upon Lipinski, Li, Li2, Ben, and Skaaning**

[0055] The Examiner rejects claims 32 and 33 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Li, Li2, Ben, and Skaaning. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

**[0056]** Skaaning is not cited as disclosing the above-discussed features of claim 27. Thus, claim 27 remains patentable even when Skaaning is combined with Lipinski, Li, and Li2. Claims 32 and 33 ultimately depend upon independent claim 27. As discussed, claim 27 is allowable over Lipinski, Li, Li2, and Skaaning. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

**Based upon Lipinski, Li, Li2, and Official Notice**

**[0057]** The Examiner rejects claim 38 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Li, Li2, and Official Notice. Applicant respectfully traverses the rejection of this claim and asks the Examiner to withdraw the rejection of this claim.

**[0058]** Official Notice is not cited as disclosing the above-discussed features of claim 27. Thus, claim 27 remains patentable even when Official Notice is combined with Lipinski, Li, and Li2. Claim 38 ultimately depends upon independent claim 27. As discussed, claim 27 is allowable over Lipinski, Li, Li2, and Official Notice. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, this claim may also be allowable for additional independent reasons.

**Based upon Lipinski, Ramig, and Xiong**

**[0059]** The Examiner rejects claim 39 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Ramig, and Xiong. Applicant respectfully traverses the rejection of this claim and asks the Examiner to withdraw the rejection of this claim.

**[0060]** Claim 39 includes recitations similar to those discussed above with regard to claim 1. Accordingly, claim 39 is patentable over Lipinski and Ramig (both cited in rejecting claim 1) for at least the same reasons. Also, Xiong is not cited as disclosing those above-discussed recitations common to claims 1 and 39. Thus, claim 39 remains patentable even when Xiong is combined with Lipinski and Ramig.

**Based upon Lipinski, Ramig, Xiong, and Yildiz**

**[0061]** The Examiner rejects claim 40 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Ramig, Xiong, and Yildiz. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of this claim.

**[0062]** Yildiz is not cited as disclosing the above-discussed features of claim 39. Thus, claim 39 remains patentable even when Yildiz is combined with Lipinski, Ramig, and Xiong. Claim 40 ultimately depends upon independent claim 39. As discussed, claim 39 is allowable over Lipinski, Ramig, Xiong, and Yildiz.

It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, this claim may also be allowable for additional independent reasons.

**Based upon Lipinski, Ramig, Xiong, and Li**

[0063] The Examiner rejects claims 41 and 42 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Ramig, Xiong, and Li. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

[0064] Li is not cited as disclosing the above-discussed features of claim 39. Thus, claim 39 remains patentable even when Li is combined with Lipinski, Ramig, and Xiong. Claims 41 and 42 ultimately depend upon independent claim 39. As discussed, claim 39 is allowable over Lipinski, Ramig, Xiong, and Li. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

**Based upon Lipinski, Ramig, Xiong, and Ben**

[0065] The Examiner rejects claims 43 and 44 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Ramig, Xiong, and Ben. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

**[0066]** Ben is not cited as disclosing the above-discussed features of claim 39. Thus, claim 39 remains patentable even when Ben is combined with Lipinski, Ramig, and Xiong. Claims 43 and 44 ultimately depend upon independent claim 39. As discussed, claim 39 is allowable over Lipinski, Ramig, Xiong, and Ben. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

**Based upon Lipinski, Ramig, Xiong, and Skaaning**

**[0067]** The Examiner rejects claim 45 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Ramig, Xiong, and Skaaning. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of this claim.

**[0068]** Skaaning is not cited as disclosing the above-discussed features of claim 39. Thus, claim 39 remains patentable even when Skaaning is combined with Lipinski, Ramig, and Xiong. Claim 45 ultimately depends upon independent claim 39. As discussed, claim 39 is allowable over Lipinski, Ramig, Xiong, and Skaaning. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, this claim may also be allowable for additional independent reasons.

**Based upon Lipinski, Kaan, Li, and Li2**

[0069] The Examiner rejects claims 46-61, 63, 64, and 68-70 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Kaan, Li, and Li2. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

**Independent Claim 46**

[0070] Claim 46 includes recitations similar to those discussed above with regard to claim 1. Accordingly, claim 46 is patentable over Lipinski, Li, and Li2 (all cited in rejecting claim 1) for at least the same reasons. Also, Kaan is not cited as disclosing those above-discussed recitations common to claims 1 and 46. Thus, claim 46 remains patentable even when Kaan is combined with Lipinski, Li, and Li2.

**Dependent Claims 47-61, 63, 64, and 68-70**

These claims ultimately depend upon independent claim 46. As discussed above, claim 46 is allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

**Based upon Lipinski, Kaan, Li, Li2, and Matsubara**

[0071] The Examiner rejects claim 62 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Kaan, Li, Li2, and Matsubara. Applicant respectfully

traverses the rejection of this claim and asks the Examiner to withdraw the rejection of this claim.

**[0072]** Matsubara is not cited as disclosing the above-discussed features of claim 46. Thus, claim 46 remains patentable even when Matsubara is combined with Lipinski, Li, Li2, and Kaan. Claim 62 ultimately depends upon independent claim 46. As discussed, claim 46 is allowable over Lipinski, Li, Li2, Kaan, and Matsubara. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, this claim may also be allowable for additional independent reasons.

**Based upon Lipinski, Kaan, Li, Li2, and Yildiz**

**[0073]** The Examiner rejects claims 65-67 under 35 U.S.C. § 103(a) as being unpatentable over Lipinski, Kaan, Li, Li2, and Yildiz. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

**[0074]** Yildiz is not cited as disclosing the above-discussed features of claim 46. Thus, claim 46 remains patentable even when Yildiz is combined with Lipinski, Li, Li2, and Kaan. Claims 65-67 ultimately depend upon independent claim 46. As discussed, claim 46 is allowable over Lipinski, Li, Li2, Kaan, and Yildiz. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

## **Conclusion**

[0075] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me at your convenience.

Respectfully Submitted,

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